



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/798,131

Filing Date 3/11/04

First Named Inventor Leo J. ROMANCZYK, Jr., et al.

Art Unit 1626

Examiner Name E. Sackey

Attorney Docket Number 105942-53917

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO/SB/08B
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copies of References (7)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Acknowledgement Postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

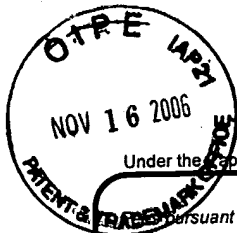
Firm Name	Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C.		
Signature	<i>Margaret B. Kelley</i>		
Printed name	Margaret B. Kelley		
Date	October 26, 2006	Reg. No.	29,181

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Margaret M. Gibbs</i>		
Typed or printed name	Margaret M. Gibbs	Date	11/14/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

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Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/798,131
Filing Date	3/11/04
First Named Inventor	Romanczyk
Examiner Name	E. Sackey
Art Unit	1626
Attorney Docket No.	105942-53917

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 03-3839 Deposit Account Name: Gibbons, Del Deo, Dolan..

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
0	0	0	0	0

- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Fee for Filing Information Disclosure Statement after Office Action

\$180.00

SUBMITTED BY

Signature	<u>Margaret B. Kelley</u>	Registration No. (Attorney/Agent)	29,181	Telephone	212-649-4700
Name (Print/Type)	Margaret B. Kelley	Date	<u>Nov. 1, 2006</u>		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No.: 10/798,131
Docket No. 105942-53917
Information Disclosure Statement



CERTIFICATE OF MAILING/FAX TRANSMISSION

☒ I hereby certify that this correspondence is being:
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via facsimile number 571-273-8300

Date:

Name: Margaret M. Gliaros

Signature:

Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C.

Attorney Docket No: 105942-53917

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: "Synthetic Methods for Preparing Procyanidin Oligomers"

Applicant: Leo J. Romanczyk, et al.

Serial No.: 10/798,131

Confirmation No.: 5849

Filed: March 11, 2004

Customer No.: 26345

Examiner: E. Sackey

TC/A.U.: 1626

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449.

Applicants respectfully request the Examiner's consideration of the cited reference and that the cited reference be made of record in the prosecution history of the present application by initialing and dating Form PTO SB/08B next to the document. Such initialing and dating is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to

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Serial No.: 10/798,131
Docket No. 105942-53917
Information Disclosure Statement

use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document will be listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document(s) is not to be construed as an admission that such document(s) are necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 and in the course of each search will review for relevance every document cited on the attached form.

CORRESPONDENCE AND FEES

The present Information Disclosure Statement has been submitted after the receipt of an Office Action on the merits in this application. Accordingly, a fee of \$.180.00 is due. The Commissioner is hereby authorized to charge the fees to Deposit Account No. 03-3839.

In the event that any further fees are required, authorization is hereby given to charge Deposit Account No. 03-3839. Please address all correspondence to Intellectual Property Docket Administrator, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, One Riverfront Plaza, Newark, NJ 07102-5497.

Serial No.: 10/798,131
Docket No. 105942-53917
Information Disclosure Statement

Should there be any questions or other matters that may be resolved by a telephone call,
the Examiner is invited to contact the undersigned attorney at the number below.

Date: November 1, 2006

Respectfully submitted,

Margaret B. Kelley
Margaret B. Kelley, Reg. No. 29,181
GIBBONS, DEL DEO, DOLAN, GRIFFINGER &
VECCHIONE
One Pennsylvania Plaza-37th Floor
New York, New York 10119
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet:

of

Complete if Known

Application Number	10/798,131
Filing Date	March 11, 2004
First Named Inventor	Romanczyk et al.
Art Unit	1626
Examiner Name	E. Sackey
Attorney Docket Number	105942-53917

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

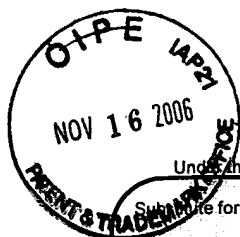
**Examiner
Signature**

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/798,131		
		Filing Date	3/11/04		
		First Named Inventor	Leo J. Romanczyk Jr.		
		Art Unit	1626		
		Examiner Name	E. Sackey		
Sheet		of		Attorney Docket Number	105942-53917

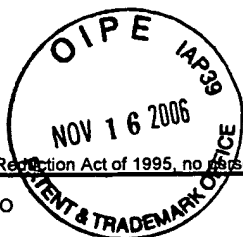
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Kozikowski et al., "Synthesis of 4-a-Arylepicatechins", Serial No. 11/543,415, filed 10/5/06	
		Kozikowski et al., "Synthesis of Dimeric, Trimeric, Tetrameric, Pentameric, and Higher Oligomeric...", Serial No. 11/329,467, filed 1/11/06 (A.U. 1626)	
		Kozikowski, et al., "Synthesis of Oligomeric Epicatechin- and Catechin-Derived Procyanidins", Serial No. 10/481,729, filed 9/15/04 (A.U. 1626)	
		Romanczyk et al., "Processes for the preparation of protected-(+)-catechin and (-)-epicatechin monomers, for coupling...", Serial No. 11/169,860, filed 6/29/05 (A.U. 1625)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/798,131
Filing Date	3/11/04
First Named Inventor	Leo J. Romanczyk Jr.
Art Unit	1626
Examiner Name	E. Sackey
Attorney Docket Number	105942-53917

Sheet

of

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Delcour, et al., "Synthesis of Condensed Tannins. Part 13. The First 2,3-trans-3,4-cis..." J. Chem. Soc. Perkin Trans. I (1985) 669-676	
		Foo, et al., "Proanthocyanidins From Lotus Corniculatus" Phytochemistry (1996) 41, No. 2: 617-624	
		Kolodziej, "The first 2,3-trans-3,4-cis Procyanidin" Phytochemistry (1985) 24, No. 10: 2460-2462	
		Mayer, et al., "Procyanidino-(-)-Epicatechin..." Tetrahedron Letters (1996) No. 4: 429-435	
		Saito, et al., "Synthetic Studies of Proanthocyanidins. Part 2: Stereoselective gram-scale synthesis..." Tetrahedron Letters (2002) 58:7829-7837	
		Saito, et al., "Synthetic Studies of Proanthocyanidins. Part 3: Stereoselective 3,4-cis catechin..." Tetrahedron Letters (2003) 44:5449-5452	
		Viswanadhan et al., "Assessment by Molecular Mechanics of the Preferred Conformations..." J. Chem. Soc. Perkin Trans. II (1987) 739-743	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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